UNIVERSITY OF TORONTO
FACULTY OF LAW

BORA LASKIN LAW LIBRARY
3 1761 06103116 7

ABORIGINAL AND TREATY RIGHTS IN CANADA

Volume Two: Treaty Rights & Fiduciary Law

Darlene Johnston
Faculty of Law
University of Toronto

Fall 2007

These materials are reproduced solely for the use of students in the Faculty of Law, University of Toronto.

BORA LASKIN LAW LIBRARY

AUG 30 2007

FACULTY OF LAW
UNIVERSITY OF TORONTO

ABORIGINAL AND TREATY RIGHTS IN CANADA

Volume Two: Treaty Rights & Fiduciary Law

Darlene Johnston
Faculty of Law
University of Toronto

Fall 2007

These materials are reproduced solely for the use of students in the Faculty of Law, University of Toronto.

Digitized by the Internet Archive
in 2018 with funding from
University of Toronto

https://archive.org/details/aboriginaltreaty02john

CONTENTS

PART II. TREATY RIGHTS

R. v. Sikyea, [1964] 2 C.C.C. 325 (N.W.T.C.A.).....1

R. v. Sikyea, (1964) S.C.R. 642 (S.C.C.) 11

Regina v. George, (1966) 55 D.L.R. (2d) 386 14

Regina v. Taylor and Williams, (1982), 34 O.R. (2d) 360 24

R. v. Simon [1985] 2 S.C.R. 387 31

R. v. Horseman, [1990] 1 S.C.R. 901 46

R. v. Sioui, [1990] 1 S.C.R. 1025.....66

Regina v. Secretary of State [1982] Q.B. 892 (Eng.C.A.) 92

R. v. Côté [1996] 3 S.C.R. 139 115

R. v. Badger, [1996] 1 S.C.R. 771 117

R. v. Marshall [1999] 3 S.C.R. 456.....141

R v. Marshall (re-hearing application), [1999] 3 S.C.R. 533.....165

R. v. Marshall; R. v. Bernard, 2005 SCC 43 182

R. v. Morris, 2006 SCC 59 192

PART III. FIDUCIARY LAW

R. v. Guerin, [1984] 2 S.C.R. 345 215

Blueberry River Indian Band v. Canada, [1995] 4 S.C.R. 344 246

Osoyoos Band v. Oliver (Town), [2001] 2 S.C.R. 746 274

Wewaykum Indian Band v. Canada 2002 SCC 79 307

Haida Nation v. British Columbia (Minister of Forests), [2004] 3 S.C.R. 511.....336

Taku River Tlingit First Nation v. British Columbia, [2004] 3 S.C.R. 550 352

Mikisew Cree Nation v. Canada [2005] 3 S.C.R. 141 362